

Minutes of a Regular Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, April 7, 1987 at 7:30 p.m.

Present: Joseph F. Janoski, Supervisor  
John Lombardi, Councilman  
Victor Prusinowski, Councilman  
Robert Pike, Councilman

Also Present: Richard Ehlers, Town Attorney

Absent: Louis Boschetti, Councilman

The Supervisor called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was recited.

Councilman Pike offered the following resolution which was seconded by Councilman Prusinowski.

RESOLVED, that the Minutes of Regular Board Meeting held on March 17 and Special Board Meeting held on April 1, 1987 are dispensed without objection and be approved.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#### BILLS

Bills submitted on abstract dated April 7, 1987 as follows:

General Town	\$1,393,122.77
Highway	299,887.61
Capital Projects	38,958.43
Street Lighting	42,216.63
Public Parking	29,195.00
Small Cities	36,224.28
Ambulance	1,648.00

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

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The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "The heads of the departments of town government are present this evening should anyone have any questions of them. Reports Mrs. Pendzick."

#### REPORTS

Open Bid Report-Tractor, Loader, Backhoe and Cab. (See Water District Minutes)	Filed
Open Bid Report-Heavy Equipment Trailer. (See Water District Minutes)	Filed
Town Clerk-monthly report for March, 1987.	Filed
Police Department-monthly report for February, 1987.	Filed
Building Department-monthly report for March, 1987.	Filed
Tax Receiver-report of collections as of 3/18/87.	Filed
Planning Board-recommendation that there be no reduction in lot area in Residence RDC District from 20 to 10 acres and that there be no change in zoning ordinance re: lot areas until review of master plan is completed; recommendation that application of Kentucky Fried Chicken be approved.	Filed

Supervisor Janoski, "Thank you. Applications."

#### APPLICATIONS

Site Plan-Broadway Management (alteration to bagel store).	Filed
Site Plan-Pericles Bakas (Neptune Diner) (alter restaurant).	Filed
Special Permit-Jason Sossin (24,000 square foot addition to warehouse).	Filed
Site Plan-Dubois Smith (resubmission for farm equipment sales).	Filed
Site Plan-Manna Associates (office buildings on Route 25A).	Filed

Supervisor Janoski, "Thank you. Correspondence."

#### CORRESPONDENCE

Joel Markowitz, 3/31/87-objecting to time delay in decision of Sullivan application.	Filed
Camille White, 3/24/87-requests "no" vote re: Sullivan application.	Filed
Linda Dumas, 3/23/87-objects to Sullivan expansion.	Filed

CORRESPONDENCE Continued

N.Y.S. D.O.T., 3/23/87-advising that application to NYSDEC for Cross River application will be necessary. Filed

John Woodson, 3/20/87-submits notice of retirement, effective March 20, 1987. Filed

George Glew, Sr., 3/16/87-requests cost of public restrooms and why it was shut down. Filed

Gregory Blass, 3/16/87-re: proposed task force on affordable housing. Filed

J. Andrejack and J. Holinstein, 3/31/87-advising the name of a private road in the new subdivision as Jamesport Commons. Filed

Jamesport Fire Dept., 4/6/87-requests use of community center in July. Filed

Supervisor Janoski, "Thank you. The time for the first public hearing has not yet arrived. We have a lengthy list of unfinished business. If anyone would like an explanation of anything that has been applied for, I'd be happy to go through it. I would recognize anyone who wishes to be heard on any matter at this time. Mr. Danowski."

Pete Danowski, Roanoke Avenue, "I know we have a crowd in the meeting room here tonight. And I don't know (necessarily) that my topic will concern itself with Wading River which may be the topic for many of the people here. However, I've had a number of clients as you may know, who have certainly been impacted by recent acts of this Town Board. I've made certain inquiries informally as to how certain moratoriums were put in place. And certainly, I think each of you as Board members, recognize that for those who might have wished to sell property, those of whom may have wished to purchase property, and for those who are going to develop a site that was existing in ownership already, you have seriously impacted their ability. Now, I've been informally advised that the moratorium that was most recently passed was originally scheduled to be a moratorium with regard to down zoning. There may be people who specifically are interested in that issue. I, however, am more seriously interested in the idea that without a public hearing, and without advance notice to the people who will be impacted by a general town wide moratorium, certain individuals saw fit to campaign for or to push for and to finally gain approval for this particular town wide moratorium. I ask you to consider rescinding the moratorium. And if a majority of this Board wishes to up zone the town or wishes to comply with the SEQRA process as all developers and all applicants are required to, then to call public hearings on concerns regarding upzoning. And I don't think that's unfair to request. I think what's been done here in calling the moratorium the way it was done, is not quite proper. But more importantly, doesn't give those people who were impacted by it, an opportunity to complain. I say that as a starting point. Secondly, I've heard at the informational meeting that has been held that was attended by some farmers and other interested parties, what is proposed in

PERSONAL APPEARANCES ContinuedPete Danowski, Continued

an open space program. I don't call, with the concept that someone might be in favor of open space. I go out, however, for those who are or may describe themselves to be environmentalists. Is it more important to protect open space or more important to protect woodland? I, personally, have applicants and have developers, have homeowners and have farmers who own both. They'll get impacted by any kind of program whether it be open space or woodland. But in my own mind, I say if I have an owner who owns woodland that protects the birds, the bees and the ponds and the water supply, why not (as a Board) come to a consensus that maybe it's more important to protect the woodland than it is to protect the land that has already been scarred to the extent that woodland has been removed. We have a L.I.L.C.O. power line going through much of open farm land. You've got long ago proposals about the expressway going through. And why can't we leave the farmer alone? You darn well know that if the guy has been farming for years in this town, that in his blood and in his heart he's going to continue to farm as long as he can. Only when he can't financially do it or physically do it, will he look to longer farm. Then what's wrong with allowing him to sell at the highest market value and you're not allowing that to happen now with the moratoriums. You're not allowing that to happen with your proposals that open space preservation. And I think you've got an inkling from the local farmers that this open space program is not their program. All that I'm suggesting is that when you do plan for the town, you don't talk about stopping development. You talk about planning for good development. And I have to give you credit to this extent. I've been before the Planning Board with applications and you've seen fit to hire some consultant. I don't agree with John Johnson every time. I don't agree with Wayne Bruin every time. But I will say, these people are there. They attend the meetings. They listen to suggestions. They may cost my clients a ton of money. But they have some very good ideas and I think it's a positive step. I don't think that stopping development persay, is going to gain this Town Board anything other than lawsuits. If you want to take away everyone's right to develop, and they have a right to develop it, you don't have a right to take it away unless you want to pay for it. This town is in a crisis situation. Each of you know that whether you're willing to say it or not. How much land is off the taxrolls in this town? How much is exempt? If you are talking about preserving land, can you afford to keep paying for it? And if you think you're just going to rezone people and take away their rights, eventually you're going to end up paying for it after litigation. It's not meant as a threat. I think what you should do in a proposed master plan revision is try to provide housing for everybody. But you shouldn't start with the idea, let's take away development. And then at some later stage, let's talk about where people might live. I'm not concerned with the person from New York City Wallstreet who is willing to pay 3 or 4 or 500 thousand dollars for a fancy condominium. I think a condominium is a good idea. I think when you want to protect the environment and you want to cluster intensely, it's a great idea. And I think that should go down in certain spots and I think that's good. It increases the tax revenues for the town. What happens to the kid that was born and raised in this town? What happens to the kids if a kid today says it has a job and makes 30 thousand a year? What does he and his wife do? Where would you suggest he go?

PERSONAL APPEARANCES ContinuedPete Danowski, Continued

We've heard this story since I was in High School. Everyone can't find a job in this town. Years ago, things were worse. We had no development. We had vacant stores on Main Street. We had vacant shopping centers. We had no where to work. Now things look like they're on the upswing. Why not invite commercial enterprises and provide housing for job owners. Don't suggest to some kid that lives in Jamesport or Aquebogue, that somehow he should gain an equity ownership in an interest on Second Street. These kids and the families were raised out in the country. Don't suggest to them that they have to give that up and live in a condo or an apartment in the middle of the village. I don't think that's fair. And if you want to upzone to two acre zoning when real estate agents today will tell you it costs you 50 or 60 thousand dollars for the cheapest lot in town, just what do you think that lot is going to cost the kid now. All I'm asking you to do is get together a plan that will take advantage of the eye sores in this town by allowing increased development in those areas. When I say eye sores, I'm talking about dilapidated buildings, buildings along the railroad tracks. Get some opportunity to invite industrial parks. You've got a Planning Board. You are a Town Board. You can say how development gets built. You've already been doing that and have been doing a good job in many cases with how buildings look in this town. You've got the controls. You have got enough red tape now. Any applicant that comes before you knows that he goes from one Board to the next. You've got the environment protected. You got your Conservation Advisory Council, the D.E.C. You go down to your Building Department and look at their checklist and all of you know this, everybody in the world gets notified. We've got public hearings. I suggest, to you, you have enough governmental interference now. And all I'm saying is, how about going back to Bob Scheiner. And no one dislikes Bob. I think he's highly qualified. I think his report is done. But what I'd like to see you do is start over from square one and go back and provide adequate housing in this town. But first; provide industrial and convert commercial development first, campaign to get the moratorium along the river to improve West Main Street first and then talk about if you want, whether you should upzone or not. And don't you people say; we have a right to take away development in this town. Call public hearings and let the people tell you. And the problem we find many times is that the only people that show up at the Town Hall are people opposed to a project. They are not the majority of taxpayers in the town. They are a very vocal minority. And worse yet, project by project, we have people that come into town, build, develop and certainly wouldn't have objected when they were building and developing. Now that they have what they want, now they say; let's oppose everybody else coming into town. I'm asking you to consider rescinding moratoriums, getting a good Master Plan that will take into consideration commercial, industrial, one-family development and then call public hearings. Thank you."

PERSONAL APPEARANCES Continued

Supervisor Janoski, "I will open the meeting to comment on any subject in a few moments. We must go through the public hearings which have scheduled times for them. But rest assured that anyone who wants to address the Board on any subject, will have that opportunity. Let the record show that the hour of 7:46 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 7:45 p.m.

I have affidavits of publication and posting that a public hearing will be held on Tuesday, April 7, 1987 at 7:45 p.m. to hear all interested persons regarding: Improvements to the Riverside Drive Sewer Lift Station at a maximum cost not to exceed \$192,000 including land acquisition.

(See Sewer District Minutes)

7:45 PUBLIC HEARING CLOSED AT 7:48

Supervisor Janoski, "I will again recognize anyone who wishes to be heard on any subject. I should caution you, however, that we try to adhere to a five minute speaking period of time which certainly is adequate to express a great many thoughts and I would recognize anyone. Yes sir."

Kurt Moore, "I'm here this evening on behalf of Alvin Benjamin who owns some property here in the Riverhead hamlet. In terms of my own credentials, I'm a charter member of the American Institute of Certified Planners. I've been a member of A.I.P. since 1967. And in fact, as a young planner, I worked with a fellow by the name of Fred Rutter on the Master Plan for Riverhead in 1964. I only mention my credentials because I think it's important they come from, with respect, this Board has (essentially) a far reaching step in terms of considering its future and developing plans for that future. However, the moratorium vehicle is a vehicle that was first introduced as a concept to permit a little breathing space, a little time to deal with an urgent and pressing problem. To take this concept of stopping something before it can exasperate a situation and applying it on the broad basis that you have done, is a little bit more than what might be appropriate. Now, my understanding is that the moratorium, the resolution to adopt the moratorium, expires on November 2nd. And I'd like to submit for your consideration, that the complicated program of farmland preservation and transfer of development rights will extend well beyond that date. And further, that this kind of a situation which gave arise to the moratorium, has now been applied to areas which are not even under study. Areas in which you are proposing not to change. However, because of the moratorium, you won't accept any applications for change of zone. Nor will you accept any applications for development within the perimeters of the zoning now. So I think either you've got to modify your proposal or you've got to rescind it. Why penalize someone where you are not proposing to do anything, where no change is proposed at all? And that's exactly the situation we find ourselves in.

PERSONAL APPEARANCES ContinuedKurt Moore, Continued

We have property that's outside of any such area that we propose to develop. And yet with the moratorium, I can't submit any further applications for your consideration. So I urge you to continue with your planning efforts but to do it in such a way that you only use the moratorium, which is a very drastic vehicle, where it's appropriate, where you have an urgent and pressing issue. I also submit that in terms of your farmland preservation program, not much is going to happen to change the course of your planning direction between now and November 2nd. So I urge you to reconsider your position with respect to the moratorium and modify it or eliminate it altogether. Thank you."

Supervisor Janoski, "Thank you. Is there anyone else present who wishes to address the Board on any subject? Yes sir."

Gene Albert, Ostrander Avenue, "I guess I'm the moment of liberty between.... Gentlemen, I would not presume to tell the Town Board how to vote on an issue that has been presented. They must decide themselves what's in the best interest of the electorate. But I found in the past, that nothing brought before the Board...."

Irene Pendzick, "Excuse me Gene. Please give your name and address."

Gene Albert, "I'm sorry. That nothing is left uninvestigated by members of the Town Board that's brought to its attention. And I would like to make you aware of some of the facts about Kentucky Fried Chicken situation as I view and I've given you a little handout. So that perhaps if you do go investigate it, you'll see what I'm talking about. There is no traffic light on the corner of Route 25 and Ostrander Avenue. A left hand turn from Ostrander Avenue, at times, is almost impossible. With the drive-thru that Kentucky proposes, it will be impossible. Route 25 East curves north at the IRS building. You can not see more than 60 feet down the road. I bring that to your attention because that's one of the problems of making a left hand turn. Many residents of Ostrander Avenue go down to Union or Maple to make the left hand turn onto Route 25/Main Street because you can not make a turn from there. Next, as far as neighborly goes, the dumpster is never closed and thank goodness for the 400 cats that have accumulated around there, we have had not many rats coming up from the river. Now, I have never done anything sneaky so I have seen the manager (each week there's a new manager) and I've told him to please keep the dumpster closed. I've also called the Town Hall to please notify them about keeping the dumpster closed. That lasted about 24 hours and the dumpster is left open again. There is garbage stored at the side of the building. Now I'm talking about garbage in open boxes left at the side of the door at Kentucky Fried Chicken. You go down there, you'll see it. I've asked the manager to get it into the dumpster, take it back into the building, sell it. But don't leave it by the side door. There is landscaping on Ostrander Avenue. He guaranteed us landscaping, that's what he gave us. He returned us to the forest primevil. He has never cut the hedges. He has never cut the grass

PERSONAL APPEARANCES ContinuedGene Albert, Continued

on Ostrander Avenue. You can not walk on Ostrander Avenue and mail a letter unless you walk in the road or you walk on the other side of the street. Robert, you're a neighbor, you should know. The sidewalk cut on Route 25, according to plans, I don't know if you have the site plan. I have it. It's in and out on Main Street. Unbelievable. And it's not wide enough for two cars and they don't have permission. They say existing. They don't have permission from the State to cut the sidewalk any further. I'll give you the site plans if you don't have it. I have it with me. Next, they're going to be eliminating many of the parking spaces for sit down customers and the cars will be passing by the place where the cars park and where the customers walk. The next, is the lack of refuse maintenance. There isn't a person on Ostrander Avenue that will tell you that they don't wake up each morning and clean up the Kentucky Fried Chicken's refuse, because they don't. Lastly, it's the only drive-thru fast food establishment between Coram and Greenport. And I think restaurants know something that Kentucky Fried Chicken doesn't know about. And that is; you can't make a living with a drive-thru restaurant on Route 25 between Coram and Greenport. And I think we will be doing the town a disservice if we allow them to do this. Now, if you already voted on it or made up your mind, then you know, I'm just howling in the wind. But I'm saying, that the Zoning Board, who can see that this might be a good idea in terms of zoning, you know, is fine. But please gentlemen, take the time, go there, stand on the corner of Ostrander Avenue for a few minutes and view what I have viewed. And thank you for your time. I'd like to give you the site plan if you don't have it."

Supervisor Janoski, "Let, before you start, Gene, that they have applied. They have an application before the Board. It is going through the process. We will, in that process, be having a public hearing on that application. We will make this part of the documents of the public hearing. Mr. Pike."

Councilman Pike, "Gene, I just wanted you to know that not only did I grow up two buildings away from the building you're talking about but I'm about to become your new neighbor because I bought the building immediately next door and I'm moving down there. I am going to have to, because of my direct culinary interest in what happens to that restaurant, abstain from any decisions from here on in with the Town Board. Having to abstain, gives me the freedom to say what I bloody well please about the project. And I just wanted the people of Riverhead to know that anybody who has lived down wind of a Kentucky Fried Chicken, the secret recipe no longer becomes a secret. It gets really well known and I am hopeful that with the input that..... Kentucky Fried Chicken was an interesting development in the Town of Riverhead because immediately after it was approved, the law was changed in the Town of Riverhead to prohibit this sort of thing. This is a free mike. I'd like to say what I want to say."



PERSONAL APPEARANCES Continued

Supervisor Janoski, "Well, now, you just got cut off. Thank you. Thank you very much. Let the record show..."

Councilman Pike, "Joe, Mr. Chairman..."

Supervisor Janoski, "I am the Chairman Mr. Pike. I'm taking the floor away from you."

Councilman Pike, "Mr. Chairman, I object."

Supervisor Janoski, "You can object as much as you want, Mr. Pike. I've got a couple of public hearings to go through here. We are going to have a public hearing on the matter. If you want a grandstand, do it on somebody else's time. The Town Board has pretty much objected to the idea of a drive-thru on Main Street. We have to go through a process. We will go through the process. But one of the objectives of the Town Board, is to try to make that facility better looking and that's what we're going to tell him. We've already agreed to that in our work session. Let's stop playing around here. Let the record show that the hour of..."

Councilman Pike, "I request the floor again."

Supervisor Janoski, "Fine."

Councilman Pike, "That's exactly what I was going to say. Thank you."

Supervisor Janoski, "Let the record show that we're past 7:55. As a matter of fact, we're at 7:59 and the Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 7:55 p.m.

I have affidavits of publication and posting that a public hearing will be held on Tuesday, April 7, 1987 at 7:55 p.m. to hear all interested persons regarding: The Proposed Rezoning of Premises located at North Wading River Road.

Supervisor Janoski, "Thank you. Rick."

Richard Hanley, "May I take this off and go over to the maps?"

Supervisor Janoski, "Well, at least you know that it comes off. Bob Scheiner wasn't quite sure of that."

Richard Hanley, "The proposal which is subject of the public hearing tonight is a number of zone changes on the Town Board's own motion. First involves an area in the hamlet of Wading River near the ponds. Essentially, it's an area which is presently zoned business "C" which is neighborhood business. The site of this zone change is to the north of North Wading River Road, intersection of North Wading River Road and Sound Avenue. The present zoning in this area is business "C" as I said. The current land use in the

PUBLIC HEARING ContinuedRichard Hanley, Continued

area is exclusively commercial and the proposal of the Town Board is to replace the existing business "C" with business "CR". Essentially the reason for that is to try to encourage a less intensive use. Please understand that the area in which we're doing this zone change is 100% developed. And the reason for the change is just to make sure that in case of an assembling of parcels or rehabilitation of a building in the future, that least intensive commercial use would prevail. That is one part of the proposed zone change in Wading River Hamlet. The other is an area on the corner of North Wading River Road and Parker Road; southwest corner (according to this map if the top is north). The present land use on that side is mixed between a professional business use and a residential use. The proposal is to allow both of those lots to become professional business. One of the lots is presently used as professional business. And the consideration of the Planning Board is that there's an opportunity for the other parcel which is residential, to become professional business. That is the first area of proposed zone changes. The second is in the Wildwood area in and around Hulse Landing Road. The existing zoning in this area is essentially business "C", neighborhood business and residential "B". Land uses for ratification, this is an area of North Wading River Road, Hulse Landing Road and Hill Street. The existing land uses are a mixture of commercial, single-family residential and some seasonal residential. The proposal is to replace all of the existing business "C" or most of the existing business "C" with the less intensive business "CR". Secondly, the proposal is to change the frontage of a number of lots (about 10 lots) which front on Hill Street which are presently in a split zone of both residence "B" and business "C" into business "B". So each of those residential lots will be a single zoning use district not two which it is presently in. And the third proposal is to rezone the entire triangle between North Wading River Road, Wildwood Road and Hulse Landing Road. Also that one parcel is a split lot between residence "B" and commercial, business "C" and the proposal is to change that to residence "B" in entirety. So again, we're removing another split lot situation from the zoning in the area. Essentially, that is the proposal of the Town Board and we invite comment from the public. Thank you."

Supervisor Janoski, "Thank you Rick. I'm going to recess that meeting because the hour of 8:05 p.m. has arrived and the Town Clerk will please read the notice of public hearing on the chapter 65."

PUBLIC HEARING - 8:05 p.m.

I have affidavits of publication and posting that a public hearing will be held on Tuesday, April 7, 1987 at 8:05 p.m. to hear all interested persons regarding: Repealing Chapter 65 of the Town Code entitled, "Flood Damage Prevention."

PUBLIC HEARING Continued

Supervisor Janoski, "Mr. Town Attorney."

Richard Ehlers, "The Town of Riverhead is a participant with the federal government for flood management. What that means is that residents who are in a federal flood plain within the Town of Riverhead may acquire federal flood insurance through their local insurance broker. We've been advised by the New York State Department of Environmental Conservation that we must amend our law. So the first portion of the hearing is to repeal our existing flood plain law and replace with a model D.E.C. law which was developed in conjunction with the Secretary of State's Office and F.E.M.A. which is the Federal Emergency Management Administration. Basically the flood plain maps do not change. They are the maps that were adopted by the Town Board in 1982, I believe and those maps will still control. So if your property is on that map, you are in the same position that you were. The thrust of the changes involve; premanufactured housing and mobile housing and deal with tie downs, cellar requirements and other building type requirements. If the Town shows not to adopt these increased requirements for the mobile home sector, none of the residents in the Town of Riverhead would be able to have federal flood insurance. So although it's a public hearing and certainly people can have comment, the town is in a bit of a tight spot as far as changing any of this at this time."

Supervisor Janoski, "Thank you. Is there anyone present who wishes to address the Board on the subject of the repeal of chapter 65, "Flood Damage Prevention"? That being the case and without objection, I declare the hearing closed. There are four minutes remaining until the scheduled public hearing regarding the new Flood Damage Prevention Law. I think I will take the opportunity to pass a few resolutions until 8:10 at which time we will open that and get back to the recessed meeting."

8:05 PUBLIC HEARING CLOSED AT 8:06

RESOLUTIONS

#192 ACCEPTS MAINTENANCE BOND OF JAMES MCCULLAGH CO., INC.

(See Sewer District Minutes)

#193 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO BIDDERS. (DUCK POND ESTATES).

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that the Town Clerk be and is hereby authorized to publish notice to Bidders once in the April 16, 1987 issue of the Riverhead News Review regarding the installation of Water Mains and Appurtenances for Duck Pond Estates.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#194 AWARDS BID FOR TRACTOR LOADER BACKHOE FOR RIVERHEAD WATER DISTRICT.

(See Water District Minutes)

#195 AWARDS BID FOR HEAVY EQUIPMENT TRAILER FOR RIVERHEAD WATER DISTRICT.

(See Water District Minutes)

#196 AMENDS SITE PLAN OF CAROLE & ERNEST KEMPERMANN (CROSS ROADS RESTAURANT).

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, site plan approval was granted to Carole Kempermann to construct an addition to the Cross Roads Restaurant located on Route 25, Calverton, New York, on March 6, 1984; and

WHEREAS, application has been made for the addition of a sun room to the afore-mentioned building, by site plan revised August 20, 1986, as prepared by Sealand Surveying & Engineering, P.C., and elevations revised January 15, 1987, as prepared by Sunsystem Solar Greenhouses, Commack, New York.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations of Carole and Ernest Kemperman be and are hereby amended to include the addition of a sun room only; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Carole and Ernest Kempermann and the Riverhead Building Department.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#197 APPROVES SPECIAL PERMIT OF RICHARD J. HOMAN.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, by application dated January 15, 1987, RICHARD HOMAN, did apply to this Town Board for a special permit to close in an existing overhang, at premises located Main Road (N.Y.S. Route 25), Riverhead, New York; and

WHEREAS, this matter was referred to the Planning Board for their review and recommendation; and

WHEREAS, by letter dated February 20, 1987, the Planning Board recommended that the special permit be approved; and

WHEREAS, on the 17th day of March, 1987, this Town Board held a public hearing wherein all persons wishing to be heard were heard; and

RESOLUTIONS Continued

WHEREAS, the Environmental Quality Review Board has determined that the action is a Type II action without significant impact upon the environment; and

WHEREAS, based upon the Town Board's review on the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the special permit applied for will be a Type II action without a significant impact upon the environment pursuant to the State Conservation Environmental Law.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board determines that:

a. The use will not prevent or substantially impair either the reasonable and orderly use or the reasonable and orderly development of other properties in the neighborhood;

b. The hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained either by the neighborhood or the Town;

c. The health, safety, welfare, comfort, convenience and order of the town will not be adversely affected by the authorized use;

d. Such use will be in harmony with and promote the general purposes and intent; and be it further

RESOLVED, that the premises covered by this special permit shall be maintained in conformity with such plan which may from time to time be approved by the Riverhead Town Board; and be it further

RESOLVED, that no building permit shall be issued until the Town Board has approved the site plan by resolution; and be it further

RESOLVED, that the Town Clerk is authorized to forward a certified copy of this resolution to Richard J. Homan and the Riverhead Building Department.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#198 REFERS ZONING CODE REVISION TO PLANNING BOARD.

Councilman Pike offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, the Planning Department has recommended a revision to Section 108-69 of the Code of the Town of Riverhead, whereby front yards in the Riverhead Public Parking District, be reduced to a minimum depth of zero (0) feet, and

WHEREAS, the Town Board is of the opinion that said revision will provide internal clarification to Section 108-69 while allowing for conformity in the setbacks of existing structures and new construction in the Public Parking District; now, therefore, be it

RESOLVED, that this proposal to amend Section 108-69 of the Town Code of the Town of Riverhead be and is hereby referred to the Planning Board for their review and recommendations.

RESOLUTIONS Continued

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Let the record show that the hour of 8:10 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 8:10 p.m.

I have affidavits of publication and posting that a public hearing will be held on Tuesday, April 7, 1987 at 8:10 p.m. to hear all interested persons regarding: Adopting Local Law, 1987 entitled; "Flood Damage Prevention."

Supervisor Janoski, "Thank you. Mr. Town Attorney, do you need additional... No you do not. Ok. This is the replacement law regarding Flood Damage and Preventions. Is there anyone present who wishes to address the Board on this proposal? That being the case and without objection, I declare the hearing closed. I will now re-open the hearing on the rezoning of the area of North Wading River Road. Is there anyone wishing to be heard? Yes sir."

8:10 PUBLIC HEARING CLOSED AT 8:11

7:55 PUBLIC HEARING RE-OPENED AT 8:11

Supervisor Janoski, "Please state your name and address."

Gene Genova, Farm Road South, "I'm president of the Century Farms Civic Association. I'm here to express the views of our entire civic association. We're against the proposed zoning change for the Hulse Landing Road area to a "CR" designation. There are too many proposals now in their initial stages for the Wading River area. The effects of all these changes, if fulfilled, would have a very significant negative impact on the entire Wading River community. Besides this new zoning change, the Wading River area faces the prospective of one; being a TDR receiving zone in the farmland preservation program. This could increase the number of housing units by a factor of four. Two; at least two new housing projects which would increase traffic, effect the quality and quantity of our groundwater and tax our community services beyond their limit. There seems to be no foresight in how a combination of all these proposals will change our community and affect the residents. There must be a Master Plan to control the direction and impact of this growth. To achieve this end we want; one; the Wading River area pulled out of the proposed Farmland Preservation Program. Two; the Town of Riverhead to immediately implement a Hamlet Study for Wading River. The Hamlet Study must be conducted by a new independent agency. Jamesport and Aquebogue both have a Hamlet Study now to help them grow in a positive direction acceptable to their residents."

PUBLIC HEARING Continued

Wading River must be treated fairly and have the same opportunity to plan for acceptable growth. Three; a moratorium on all build-ings and zone changes in the Wading River area until the Hamlet Study is completed. Wading River must be protected. We, in the Century Farms Civic Association are united with the other associ-ations to do whatever is necessary to achieve this goal. Thank you."

Supervisor Janoski, "I would just like to ask one question because I'm a little confused. What the Board is trying to do here is to replace business "C" zone and you don't want that done?"

Gene Genova, "Not until a Hamlet Study is completed."

Supervisor Janoski, "Then you realize that a Burger King could set up a business in this area you're talking about."

Gene Genova, "Not with a moratorium."

Supervisor Janoski, "A moratorium, I got you. Alright. Yes, Mr. Kasperovich."

William Kasperovich, Wading River, "The map shows me living in a seasonal area. I go up and down this street more than once a day and I haven't seen a seasonal house there yet in the past 5 or 10 years. I don't know who made these maps. But sure as h---, he must be ashamed of it because he didn't put down compiled by so and so. There are enough errors to make any engineers hair stand up on end and mine are standing straight up. Now, you could see that we have a change of people living here when somebody writes and asks the town why the public toilets are closed. Anybody who has lived here their life span, well remembers that blooper that the Town Board pulled. Blooper is being very polite. And so we come to an area which was parceled off, pieced off and what have you, before zoning came into effect. When zoning came into effect, they looked the area over because they didn't know what to do with it because it took a lot of work to do something of a professional nature. So they just generalized. Now, when it comes to that point in time to be specific, the things that the people tried to overcome in those days, seems to be forgotten in the same sense why the toilet bath-house is locked. It's forgotten. And obviously, these maps were made without consulting some of the senior people in the area that remember what exists. Mr. Hanley gets up here and tells us that the area is 100% developed. And yet I go to the Post Office every other day, and I see open lots and open areas. It's no where near 100%. The areas have grown residential and should the people that are living there should be favored with residential zoning. The corner lot that has maintained a real estate office for almost 30 years, these people have not been discouraged in developing and re-furbishing. And now we want to make it legal official and proper that this is a business. The areas that are called business, basi-cally residential with a few stores stuck in here and there. We only have one building and that's next door to the post office and that's the only commercial building we have. The fact that the place that Mr. Miller resided in rather he spent most of his hours there more than his own home. You've allowed it to be redecorated as a commercial place rather than to use architectural decor. It

PUBLIC HEARING ContinuedWilliam Kasperovich, Continued

does not justify now calling it business. This entire area is residential and that is what it has grown to, that is what it has been permitted to grow to and that is what we should look to develop further. Now, the split lots behind the deli, I talk in these terms so everybody will know where I'm at, was done purposely so that the commercial enterprises that were being enticed to that area would have a backyard access. Ok. Now, the commercial hasn't grown. Homes have grown. The backyard access isn't necessary but still you maintain to allow the other areas to be called commercial. Now if anything, these areas that are called commercial, should be called residential today because they are being occupied by residents in enough density to create an atmosphere that exists of residential. Now, when you pull a residential piece...."

Supervisor Janoski, "Bill, you're pushing your five minutes. I just let you know that."

William Kasperovich, "You interrupt me all the time. I'm getting use to that."

Supervisor Janoski, "I just have to tell you these things."

William Kasperovich, "If you had taken the trouble to get some professional advice on these drawings before this point, there would be no need for me to come up here and take five minutes of your valuable time. But when you call a little hole in the ground at the intersection of a road, you're going to change it from commercial to residential, that it would take somebody well out of his mind to build a house on, you certainly haven't looked at the drawings."

Supervisor Janoski, "Bill, could you tell me whether you're in favor of or opposed to the proposals. I'm not quite sure, to tell you the truth."

William Kasperovich, "The proposal is wrong. The proposal should be residential not commercial. This business on rural commercial is ridiculous to people who have been living there year around for so many years."

Supervisor Janoski, "Thank you, Bill. Is there anyone present who wishes to address the Board on this matter? Yes sir."

Paul Baker, Wading River, "I'm president of the Wildwood Hills Property Owners' Association. We have many our members here this evening. I'd like to give this statement to the Town Board at this time. Our community elected you to protect our interests. We hope your current proposal is for this intention. Our community is the western-most part of this town, is experiencing development pressure from the west and farmland preservation lands from the east. Our community pays a considerable share of our town tax dollars and desperately needs a plan, a Hamlet Study to protect our people. The community of Wildwood Hills with its Wading River neighbors presents the following: we are proposed to any and all building



PUBLIC HEARING ContinuedPaul Baker, Continued

zoning changes in the Wading River Hamlet at this time. A Hamlet Plan is the only reasonable way to address change. Although we represent many small neighborhoods, we are in one accord on the following demands; number one: the immediate removal of the entire Wading River community from the proposed farmland preservation program. Number two: A Hamlet Study of the entire Wading River Hamlet and community. Number three: a building and zone change moratorium pending completion of the Hamlet Study. We'd expect the Town Board to act with haste in implementing our demands. We request an immediate written response on the above matter. Our respective memberships expect being informed."

Supervisor Janoski, "Thank you. Mr. Councilman."

Councilman Prusinowski, "I'd like to address..."

Irene Pendzick, "Paul, do you have a copy of that statement to submit for the record?"

Paul Baker, "I gave them to you."

Irene Pendzick, "That isn't what you read verbatim."

Paul Baker, "No. The other was the introduction. The letter is the one that we are submitting."

Irene Pendzick, "You don't have a copy of what you just said?"

Paul Baker, "Yes. That's what you have in front of you. Our demands are right there in writing. The demands or the requests that we made."

Councilman Prusinowski, "Number one; as far as that part of Wading River that was put in this "farmland preservation program", it was never our intention to put property in that proposal that was in the location which I spoke to somebody on the telephone about. The fact of the matter is, I think you were told by Councilman Pike when he addressed your groups a couple of weeks ago, that that was an arbitrary line drawn by the engineers and it's only a proposal and that's not something that's etched in stone. As far as preserving farmland in the central part of the town, quite honestly in Wading River, except for some areas designated, (the Lewins' Farm) the soil quality as you go farther north and west, in some areas it's a little poorer. So it doesn't meet our criteria to begin with. As far as a Hamlet Study for Wading River, that's great but there's only one study that matters and that's what is in the zoning book today. Ok. I'll get to number three in a minute. What we tried to do with some of the proposals that we have here, there are certain realities to life. The reality is; I can tell you what you want to hear. So you're going to say; gee, Vic is a great guy and you might vote for me in the next election. The reality is; we get hit in Town Hall today, with applications for building permits, for business applications site plans and this is going on today. What we tried to do by changing the Route 25A corridor to

PUBLIC HEARING ContinuedCouncilman Prusinowski, Continued

country rural is that we recognize that we did not want Wading River to turn into what I drive past Wading River, 25A going in to Rocky Point, through Rocky Point to Port Jefferson. We want an orderly growth, something that blends into the unique characteristics of Wading River. We have accomplished that to some degree. Now, if we don't want any business in these designated areas, fine. Then somebody can say hey; we don't want any business up there, rezone it all residential or something else. Then you bring up the question of property rights and how we're going to do in court. I've been told that we're going to do great in court but then I've been on the Board here for 7 years and we've been told that before and then we go to a decision and we loose and we have to issue a building permit because the judge says so. On the other hand, we could go to court and prevail. So it all comes down to going to court. Now, let's take number three. I have got no problems with a building and zone change moratorium. But, people want to put decks on their houses and come down here for a building permit with 6.9% financing on home equity loans, are going to find a problem because they're not going to be able to expand their existing home. I don't think that's what you want. I think what you want to say here is that you want, probably, and I haven't seen specific.... You have to define to the Board what type of moratorium you want."

Paul Baker, "Ok. I think basically what we're looking for at this particular point is to stop all building within the area until a Hamlet Study is completed, for these reasons. First of all, and you can correct me if I'm wrong, I do not believe the "CR" zoning was ever legislatively enacted by the Riverhead Town Board. Is that correct? Legislatively, it was enacted."

Councilman Prusinowski, "Absolutely."

Paul Baker, "As of what date?"

Councilman Prusinowski, "Last year."

Paul Baker, "I don't mean that an area wasn't declared. I mean was an actual description of "CR" zoning legislatively adopted by this Town Board?"

Councilman Prusinowski, "It's being followed by many applicants. Absolutely."

Paul Baker, "May we get a copy of that? We have been so informed that that is not in fact, the case."

Councilman Pike, "Who told you that?"

Paul Baker, "Well, Mr. Janoski mentioned even earlier today that your efforts along these lines to declare moratoriums, to declare zoning changes are going to be up to litigation. That you are going to have to defend those types of actions. Fine. What we are asking you Mr. Prusinowski, as communities, is to allow us to assist you in defending ourselves. That's what we're asking."

PUBLIC HEARING ContinuedPaul Baker, Continued

That defense is directly related to a plan of action which must be adopted. If anyone is going to propose any change of zoning whether it is as well intentioned as "CR" zoning, whether it's a residential zoning or a business zoning or whatever, it is dependant up a plan of action to be adopted. Now, we understand the many pressures that the Town Board is experiencing at this time in enacting your own proposed plan of action of TDR. We understand the feelings of farmers. We understand the feelings of people in TDR receivership along the shorelines. We understand all of that. Without a Hamlet Study though, we are defenseless."

Councilman Prusinowski, "What is the...."

TAPE ENDED

Paul Baker, "I'm not talking about a long long moratorium here. What we're asking this evening is that if tomorrow morning, this Town Board decided to enact a Hamlet Study in our community, three months or four months from that date, you would have a Hamlet Study in hand that would allow us to defend ourselves and we would not have to be up for grabs for anybody who feels like coming in and challenging your zoning changes which are done on a Town Board level or any other level. We now have legal rights to protect ourselves. That is what we are in fact, asking for this evening."

Councilman Prusinowski, "That sounds great. That's not exactly what you outlined. Legally it might not actually be the case but I'm not going to get into that now. So in other words, what you're asking us to do is you want a moratorium on issuing building permits for any type of construction in Wading River."

Paul Baker, "Absolutely."Councilman Prusinowski, "On anything, even your house?"Paul Baker, "Anything."Councilman Prusinowski, "Ok."

Paul Baker, "Until, please read the conditions. Until the Hamlet Study is completed."

Councilman Prusinowski, "Alright. So you're saying that in other words, if somebody is planning an extension on his house, he can not do it until we complete our Hamlet Study? Ok. You know that when we do these plans, we have to follow SEQRA process and property rights. And our legal counsel has told us that even on our motions, that we should follow SEQRA process and that takes time. So in other words, I clearly understand, so there's no misunderstanding here. If somebody wants to go to the Building Department and put in..."

PUBLIC HEARING Continued

Paul Baker, "We're simply stating that we would like you to effect a Hamlet Study as quickly as possible."

Councilman Prusinowski, "We would have to. No. No. I have got to tell you because I walked into a meeting over two weeks ago when we were going to pass a moratorium on downzoning. Then we put a town-wide moratorium on accepting new subdivisions. And when you're talking about law, and I am being reasonable, because the reality is if you pass a moratorium you have to spell it out so that the Building Department personnel, when people come down there to apply for a building permit, they have to be told what to say to the public. Is that fair?"

Paul Baker, "Correct. Vic, I went through a very similar circumstance last year. If you're prepared to wait 90 days for a permit to begin construction, (we're talking three months) that is probably the normal waiting time, I was told in Riverhead Town in the first place. So you're not really talking about a significant waiting time. You're going to wait 90 days for a permit to a home improvement anyway. We're saying to you, in the process, why don't you complete the Hamlet Study within 90 days and we'll be internally grateful?"

Councilman Prusinowski, "If it can be done in 90 days. Sometimes... Excuse me. I've got to tell you. If you want to hire an outside consultant, let's take the farm study that we just had, it did not too much longer than 90 days."

Paul Baker, "Because you tried to cover the entire area. You tried to cover all the bases. We're not covering all the bases, Vic. We're a small community. Neighborhoods are here tonight to show you we're working together, Vic."

Councilman Prusinowski, "But I don't want to mislead you because..."

Paul Baker, "We're here to represent this evening at the Wading River community, while many small neighborhoods (Vic) is of one intent. That's why here."

Councilman Prusinowski, "Well, let me tell you something. The only thing I want to do tonight is tell you the facts and not mislead you and tell you something that you want to hear because it's sometimes it's not possible to do these studies within 90 days. We pass a moratorium, you have to find consultants. You have to pay them. You have to find the money in the budget. By the time they get going, it could be 60 days. It might take them 90 days to complete the report. It gets back to the Town Board. It might take 60 days for the Town Board to call public hearings. It could take over a year to get this thing done."

Paul Baker, "Vic, we are patient people. We will wait for our town water until you get it to us. We have been patient people. However, I'm sorry if I hit a sore spot. We, however, realized that elections are coming up in November and I don't mean to put anybody under a gun."

PUBLIC HEARING Continued

Councilman Prusinowski, "Well you're not putting me under a gun."

Paul Baker, "All we're simply saying is that we intend to be protected. We intend to have our rights protected and you are here, as far as we are concerned, to assist us in that job."

Supervisor Janoski, "Perhaps if I could, Paul. I have already ordered the beginnings of a Hamlet Study, current land use in the Wading River Hamlet. It is under way as we speak. It is the first step in a Hamlet Study and it's under way. So that my intentions..."

Paul Baker, "Who is going to conduct that, Mr. Janoski?"

Supervisor Janoski, "We're doing it in-house with our personnel just as Jamesport as you mentioned and South Jamesport."

Paul Baker, "They were not done in-house. You did not have an in-house planner to do that did you?"

Supervisor Janoski, "We absolutely did. Everything that has been done..."

Paul Baker, "Those Hamlet Studies were done in-house? They were not done by H2M?"

Supervisor Janoski, "No."

Paul Baker, "And they were not done under contract?"

Supervisor Janoski, "Nope. But the beginning steps as far as current land use which is the initial step in any study, is under way as you speak."

Paul Baker, "And you would expect that to be completed by?"

Supervisor Janoski, "I was told that we could have it within the next week."

Councilman Prusinowski, "Paul, if we do it in-house, that's one thing. But I heard somebody say that you want independant outside consultants. So I was just addressing on that."

Paul Baker, "Well I think that would be optimum to be honest with you, Vic. Because I do believe that presently there perhaps might be some conflict. I don't know. But I'm just saying, with this whole TDR program, I know how hard you've worked at it and we don't mean to be...."

Councilman Prusinowski, "There's no conflict but there's a difference between (outside) (excuse me Joe) hiring outside consultants, (please use my experience of being here for 7 years) and doing it in-house. In-house, we can do it a little bit faster."

PUBLIC HEARING Continued

Supervisor Janoski, "The current land use; what is actually going on in Wading River at the present time, is under way. That's the initial step. It's already been directed by myself. So we're on the way. Now, we will continue as we go through a long process and the Board will have to consider your request as far as moratoriums."

Paul Baker, "You would see no problem then, time-wise with a moratorium would you Mr. Janoski?"

Supervisor Janoski, "Well, not as far as the initial step as far as current land use. But as to proposals and what we're going to do down the road, it certainly would take time just through the procedure itself; calling public hearings, doing an environmental impact statements if that's necessary. Time consuming. You have to give ten days notice simply to have a hearing. So that Vic's concern that it would be a lengthy period of time, is certainly a valid one. But we have taken the initial step and I think you recognize that this Board in doing what it has done, wanting to protect..."

Paul Baker, "Our whole purpose for coming this evening is to appreciate the pressure you're under. We heard Mr. Danowski speak earlier about all types of vail threats as to what the Town Board could expect, that you shouldn't listen to the vocal minorities that show up here and spout off as we are this evening. That we don't represent the majority of the town. And all that is fine and we can appreciate that you're representing the entire town. We're telling you that our needs are immediate right now. And regardless of what he has to say, we would like to see you respond to that as quickly as possible and we'd like to show our appreciation on election day. Thank you very much."

Supervisor Janoski, "Thank you. Just to remind you, this is a hearing on the proposed zone changes in Wading River. I didn't think you wanted to speak on that. Ok."

Irwin Garsten, "If nobody else speaks, I would like to speak on the moratorium."

Supervisor Janoski, "Certainly. This is a public hearing, yes. It's the public hearing on the proposed zone changes. Sid."

Sid Bail, Herod Pt., Wading River, "President of Wading River Civic Association. I think you all can guess what I'm going to say. It's a little anit-climatic. The Wading River Civic Association will not support the rezoning of premises located at North Wading River Road. Although the proposals have some merit, our association believes that the time has come for a more comprehensive vision of Wading River's future. We believe that there is an urgent need for a Hamlet Study for Wading River. We further urge that this Hamlet Study not be conducted in-house as some have suggested or by the usual outside consulting firm. But rather by a qualified outside firm that can offer some fresh perspectives. We further request that Wading River be pulled out of the Farmland Preservation Program. To increase density through the use of TDR's in Wading River, is totally unacceptable. In conclusion, we firmly believe the

PUBLIC HEARING ContinuedSid Bail, Continued

following steps are essential in the well being of all Wading River residents: one; a Hamlet Study to be completed in approximately six months; two; a moratorium on new subdivisions and other new building in Wading River until this study is completed and evaluated. I make one point on that thing. My understanding of what we have talked about with the moratorium, would not exclude someone from putting on a deck."

Councilman Prusinowski, "That's what I want to know. I'm not being sarcastic. When you pass a resolution like this and people come down here, it's very easy to come here and grandstand and say what you want to hear and you all applaud. But when people come down here to get a building permit, they have a loan pending at the bank, that's reality. Ok."

Sid Bail, "That was my understanding. Number three; the removal of all Wading River from the Farmland Preservation Program."

Councilman Prusinowski, "I can tell you right now, I will recommend to the Town Board as Chairman of the committee, that we do that. So I don't think we have to keep bringing that up. As I told you initially, that was not our intention. I'll tell you, I was surprised that that particular parcel was in there and it was just because the guy drew it on the map."

Sid Bail, "We hear you. There are those who council that it's too late to save Wading River because money talks. We believe that with the help of our Town Board, we can prove to those pessimists that the democratic process works and that the welfare, wishes and desires of Wading River residents are more important than dollars. Wading River is a community of many neighborhoods but it is now united in its determination not to become another casualty of poorly planned development. Thank you."

Supervisor Janoski, "Thank you, Sid. Is there anyone else present who wishes to address the Board on the proposals as they exist? Thank you. That being the case and without objection, I declare the hearing closed."

7:55 PUBLIC HEARING CLOSED AT 8:40

Supervisor Janoski, "Why don't we give Irwin a chance to speak and after that, we'll take a... Right before we do resolutions, we'll take a break. Irwin."

Irwin Garsten, Shoreham, "I'm the owner of Garsten Motors. I reside in the Village of Shoreham. No one can say that voter apathy is going to lead to ineffectual government tonight, Supervisor. I think this is wonderful; Democracy in action right here tonight and that's the reason I'm here. You can't see it, but I'm wearing three hats. I'm wearing one hat as a representative and owner of Garsten Motors. I'm wearing one hat as a representative of nine automobile dealers in Riverhead. And I'm wearing a hat as a representative for the majority interest of the Chamber of Commerce of Riverhead of which we have approximately 250 members. I

PUBLIC HEARING ContinuedIrwin Garsten, Continued

can not speak for the power of Chamber with reference to what it means to the community in the way of taxes because I don't know what every chamber member pays in taxes. However, I can speak for the Riverhead Automobile Dealers just to give you an idea of what kind of an impact we have on this area. The Riverhead Automobile Dealers employ approximately 300 people in this town. They pay 150 thousand dollars in property taxes and they have an approximate 9 million dollar payroll. Now, we are very concerned with the growth of this town. I have been here for 31 years. I've seen this town mature. I say mature, not grow, because I don't think the population of this town is 10% greater than it was 20 years ago. Everybody turns around and they say oh. This is going up. That's going up. This is going up. But we really don't have the people here yet. Yet we're all doing a lot more business. Upon investigation, and I checked with the stores downtown, and I've checked with the other automobile dealers, we find out that most of our new business is not coming from this town but coming from the North Fork, the South Fork and coming from west. I dare say that 60% of my business, slightly more is coming from out of the Town of Riverhead. Now, I see, the Chamber sees that we are on the threshold of new growth. We have matured. We have our zoning laws. We have all our commissions. We have all our departments in order. We have a Master Plan. Get on with the business of running the town. We do not need this moratorium. We do not need this hiatus. It is my feeling and the feeling of the people I represent that we have on the books, plenty of laws, plenty of ordinances to protect everybody and everyone's rights. And if the town has a desire to change this Master Plan, let them get on with it and then propose it legally. Have the proper hearings and let it be voted on. But in the meantime, let business be conducted. Let some growth occur finally to this town, properly. I'm not saying we shouldn't grow with all the proper ways, the zoning and the signs and the setbacks and the shrubbery and the grass and the trees and all the things that go with it. God knows, I'm for that and I've supported it up and down the line. So, what am I saying? That we are unalterably opposed to the moratorium. The Chamber says it. The Riverhead Automobile Dealers say it and I say it. Please, there is no need for it. Thank you."

Supervisor Janoski, "Irwin, just for the record so that the record is correct; are you addressing the moratorium that was recently enacted or are you addressing the moratorium that is being proposed here tonight or both?" Just for the record. So that we have on record what you're addressing."

Irwin Garsten, "I am addressing the moratorium that's been recently enacted." I'm addressing all moratoriums. I'm unalterably opposed to all of them, Supervisor."

Supervisor Janoski, "Alright. Thank you, Irwin. Is there anyone else who wishes to be heard on any subject? Yes sir."



4/7/87

PUBLIC HEARING Continued

Larry Ferrano, Farm Road South, W.R., "I am a resident of Wading River. I do not own a business in Wading River. I only pay 21 hundred dollars in taxes but I live here and I vote here and I request that you keep the moratorium until you have made all of your decisions on our future. Thank you."

Supervisor Janoski, "Is there anyone else present who wishes to be heard on any subject?"

George Dalecki, Wading River, "I'd just like to add to Mr. Garsten's comment that we have plenty of farmland, plenty of zoning ordinances, plenty of this and that. There's one more plenty we have of and that's automobile dealerships, mobile parks and a lot of commercialism that I don't feel belongs out here on the rural East End. Thank you."

Supervisor Janoski, "Thank you." Is there anyone else present who wishes to address the Board? Well, I thank you. We are going to take a recess until 9 p.m."

7:55 PUBLIC HEARING CLOSED AT 8:47  
TOWN BOARD MEETING RECESSED AT 8:47  
TOWN BOARD MEETING RECONVENED AT 9:03

Supervisor Janoski, "The meeting is about the return to order if you'll take your seats or.... Would someone in the back please close that door there? Before I proceed with the resolutions, is there anyone who has anything at all to add?"

Councilman Prusinowski, "I just want to make one statement for the record. For the record, I will not vote for any more moratoriums on this Town Board unless we have a public hearing first. So if we're going to vote on a moratorium for Wading River, I would request that we call for a public hearing so that all the people of Wading River can come down here and understand what we will or will not do. Period. That would be my vote."

Supervisor Janoski, "Thank you. Ok. Let us proceed with the resolutions. We are at 199. Is that correct?"

RESOLUTIONS Continued

#199 APPOINTS PUBLIC SAFETY DISPATCHER I TO POLICE DEPARTMENT.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, a need does exist for the appointment of a Public Safety Dispatcher in the Police Department, and

WHEREAS, the Town of Riverhead did receive from the Suffolk County Department of Civil Service the Certificate of Eligibles for the position of Public Safety Dispatcher I.

NOW, THEREFORE BE IT

4/7/87

RESOLUTIONS Continued

RESOLVED, that Mary Goodwin be and is hereby appointed to the position of Public Safety Dispatcher I at the annual rate of compensation of \$17,783.56 as set forth in Group 1, Step P of the Public Safety Dispatchers Salary Schedule effective April 6, 1987, and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Mary Goodwin, Chief Palmer and the Office of Accounting.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#200 ADVERTISEMENT TO BIDDERS - 15 CHARLES STREET.

Councilman Pike offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, the Town of Riverhead Community Development Agency acquired the premises known as 15 Charles Street, Riverhead, New York, for the purpose of relocation of a family; and

WHEREAS, this relocation is no longer required, and

WHEREAS, the private sector has indicated an interest in the acquisition and rehabilitation of this property, and

WHEREAS, the proceeds from this action would be used for additional rehabilitation efforts within the Town of Riverhead,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead authorize the Town Clerk to advertise for proposals on the rehabilitation of this property; and

BE IT FURTHER RESOLVED, that this advertisement be published in the April 9, 1987, edition of the Riverhead News Review.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#201 AUTHORIZES SUPERVISOR TO EXECUTE HOME RULE MESSAGE.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, Assembly Bill A.9547 and Senate Bill S.7795, which calls for the creation of authorization for a Town of Riverhead Land Preservation Bank; and

WHEREAS, a Home Rule Message from the Town of Riverhead is necessary for proper consideration by the State Legislature.

NOW, THEREFORE, BE IT

RESOLVED, Town Supervisor be and is hereby authorized to execute a Home Rule Message from the Town of Riverhead for Assembly Bill A.9547 and Senate Bill S.7795; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward certified copy of this resolution to the clerks of the Assembly and Senate.

RESOLUTIONS Continued

Councilman Prusinowski, "This is a resolution sending a home rule message in favor of Assembly Bill A9547 and Senate Bill S7795. What this bill would do if it was passed by the State Legislature, would set up a land bank fund which would impose a 2% transfer tax on any real property interest within the town over 100 thousand dollars for improved property and unimproved property up over 25 thousand dollars. Initially, when it was discussed with the Town Board a long time ago, I had indicated that I might be in favor of something like this. I believe I voted yes on something like this. But since that time, I voted for fees for subdivisions for recreation property which I think is a good thing for the town. But if anybody is going to a closing lately and tried to buy a house, there is no homes in this town really under 100 thousand dollars and I think it would effect the selling price and add another cost on top of the average homeowner in this town who has had improved property where now their seeing their values of their home go up. And anybody that's trying to buy a lot in this town for 25 thousand, you have to pay 3 or 4 points to mortgage companies. You have closing costs that are out of sight. For the benefit that we would get to buy property in the town, we have other means to save open space in the Town of Riverhead. So I'm voting no on this resolution because I don't think it's the time to do that. It's just adding more taxes."

The vote, Boschetti, absent, Pike, yes, Prusinowski, no, Lombardi, no, Janoski, yes.

The resolution was thereupon duly declared DENIED.

Supervisor Janoski, "I actually agree with the concept of this bill. This bill which has been introduced specifically for the Town of Riverhead, there are two other bills in Albany. As a matter of fact, both which give great latitude as far as what should be implemented. I'm going to vote yes on this because I agree with the concept of a land bank."

#202 MAKES SEQRA DETERMINATION RE: APPLICATION OF JOSEPH AND LINDA SULLIVAN.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, Joseph and Linda Sullivan had made application to expand their mobile home park for 32 additional units to the Riverhead Town Board, and

WHEREAS, a simultaneous application has been made to the Suffolk County Department of Health; and

WHEREAS, a review of the environmental assessment form submitted with the application shows that the activity proposed is an unlisted action pursuant to SEQRA; and

WHEREAS, it has been suggested by the representative of the Suffolk County Department of Health that a lead agency be determined and coordinated review for SEQRA compliance be completed; and

RESOLUTIONS Continued

WHEREAS, the applicants seeks to raise the density from the currently one per acre (which, based upon the 80% formula in Chapter 108 of the Riverhead Town Code for 16 acres would yield approximately 15 single-family dwelling units) rather than the 32 requested. This 100% increase in density requires that the environmental impacts be discussed in a draft environmental impact statement; and

WHEREAS, the Town Board has heretofor held a public hearing wherein the following environmental issues were raised, which this Board believes must be fully addressed by the applicant's in the draft environmental statement:

1. The impact upon the existing roadway be the increased number of vehicles generated by the applicants' project;
  2. The effect on the adjacent properties, particularly those with single-family residential dwellings spaced at one per acre;
  3. Alternate plans for the site which are permitted without change of zone or special permit;
  4. A complete inventory of all wildlife which utilizes the site as habitat;
- and

WHEREAS, the Town Board desires to be the lead agency.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby declares itself lead agency in the application of Joseph and Linda Sullivan for the expansion of their mobile home park for 32 additional units; and be it further

RESOLVED, that this Board determines that the application is an unlisted action pursuant to SEQRA; and be it further

RESOLVED, that based upon a review of the environmental assessment form, it appears that the application may have a significant impact upon the environment and, therefore, this Board directs that a draft environmental impact statement be prepared and forwarded to the Town Board; and be it further

RESOLVED, that the Town Board finds that the premises covered by this application are included in the study area of the "Recommendations Regarding the Preservation of Farmland in the Town of Riverhead", which planning study was commissioned by the Town Board. The goals of this "study" and the impact of this project must be addressed in the draft environmental impact statement; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copies of this resolution upon all interested agencies and Joseph and Linda Sullivan.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Let me just say, if I could, there is a great deal of interest in this application of Joseph and Linda Sullivan. The fact that we are going through the legal process, does not indicate support by the Town Board of this application. They are entitled to the process and we are going through that process. It is not an indication of being in favor of the application."

RESOLUTIONS Continued#203 AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS FOR LIQUID ASPHALT FOR HIGHWAY DEPARTMENT.

Councilman Pike offered the following resolution which was seconded by Councilman Prusinowski.

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids on Liquid Asphalt requirements for use of the Town of Riverhead Highway Department for one year from date of award,

AND BE IT RESOLVED, that specifications and forms for bidding be prepared by the Superintendent of Highways, and bids be returnable up to 11:00 a.m. on April 23, 1987, and be it further

RESOLVED, that the Town Clerk be and is hereby designated to open publicly and read aloud on April 23, 1987 at 11:00 a.m. at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York, all sealed bids bearing the designation "BID ON LIQUID ASPHALT".

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#204 AUTHORIZES SUPERVISOR TO EXECUTE CONTRACTS WITH DEPARTMENT HEADS.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, the employment contracts of all Department Heads did expire on December 31, 1986, and

WHEREAS, the Town Board is presently involved in negotiations with all Department Heads for employment contracts covering the period January 1, 1987 through December 31, 1988.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to execute a contract with each Department Head when agreement has been reached as to form and detail between each Department Head and the Town Board.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#205 AUTHORIZES SUPERVISOR TO EXECUTE CONTRACT WITH SUPERIOR OFFICERS' ASSOCIATION.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, the contract between the Town of Riverhead and the Superior Officers' Association did expire on December 31, 1986, and

WHEREAS, the Town of Riverhead has concluded negotiations with the Superior Officers' Association for a contract for the period of January 1, 1987 through and including December 31, 1988.

NOW, THEREFORE, BE IT

4/7/87

RESOLUTIONS Continued

RESOLVED, that the Supervisor be and is hereby authorized to execute a contract with the Superior Officer's Association as specifically detailed in the contract.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#206 ESTABLISHES IMPRESSED PETTY CASH ACCOUNT IN POLICE DEPARTMENT.

Councilman Pike offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, it is necessary that a petty cash account be available in the Police Department so that change can be given to individuals recovering vehicles which have been impounded or towed.

NOW, THEREFORE, BE IT RESOLVED, that a \$25 impressed petty cash account be established with the Police Department for such purpose.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#207 APPOINTS DRIVER/DELIVERER WITH "MEALS ON WHEELS" PROGRAM.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, a vacancy presently exists in the position of Driver Deliverer with the "Meals on Wheels" Program, and

WHEREAS, said vacancy was duly advertised, and

WHEREAS, all applicants were thereafter interviewed.

NOW, THEREFORE, BE IT

RESOLVED, that Joseph Ach be and is hereby appointed to the position of Driver/Deliverer with the "Meals On Wheels" Program at the hourly rate of compensation of \$5.00 effective April 2, 1987, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Joseph Ach and the Office of Accounting.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#208 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING RE: ROBERT B. SOLOMON-KENTUCKY FRIED CHICKEN.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Public Notice with regard to the special permit of Robert B. Solomon.

RESOLUTIONS ContinuedPUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 21st day of April, 1987, at 7:45 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the special permit application of Robert B. Solomon to renovate the exterior of a building located at 510 East Main Street, Riverhead, New York.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#209 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF SCOPING HEARING WITH REGARD TO THE SPECIAL PERMIT APPLICATION OF WM. G. HUBBARD, JR.

Councilman Pike offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, Wm. G. Hubbard Jr. has made application for a special permit of the Riverhead Town Board to construct 380 clustered residential dwelling units with accessory recreational buildings and amenities on premises located at Saw Mill Brook, Riverhead, New York more specifically described as Suffolk County Tax Map No. 0600-112-1-16.1

WHEREAS, the Town Board has, by resolution dated February 3, 1987, declared itself lead agency for the purpose of requirements of the New York State Environmental Quality Review Act; and

WHEREAS, based upon a review of the Environmental Assessment Statement filed with the Town Clerk, the Town Board determines that the application is a Type I action and that as such an action, it is necessary for the applicant to prepare and submit a Draft Environmental Impact Statement for consideration; and

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board as lead agency in the matter of the application of Wm. G. Hubbard, Jr. to construct 380-clustered residential dwelling units on a 78.356 acre parcel located at Saw Mill Brook, Riverhead, New York more specifically described as Suffolk County Tax Map No. 0600-112-1-16.1 determines, based upon the Environmental Assessment Form filed with the Town Clerk that the application is classified as a Type I Action according to the New York State Environmental Quality Review Act, and the applicant is to submit a Draft Environmental Impact Statement subsequent to the Scoping Hearing ordered below; and,

BE IT FURTHER RESOLVED, that a scoping hearing to discuss the issues to be addressed in the DEIS covering the above-mentioned application shall be heard before the Town Board of the Town of Riverhead, at 200 Howell Avenue, Riverhead, New York, at 7:55 p.m. on the 21st day of April, 1987 for all persons wishing to be heard, and

BE IT FURTHER RESOLVED, that the Town Clerk shall publish a copy of this notice in the Riverhead News Review in the April 9, 1987 issue, post a copy of this notice and serve a certified copy of this notice upon Allen M. Smith, attorney for the applicant, Wm. G. Hubbard, Jr.

RESOLUTIONS Continued

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#210 APPROVES PROMOTION TO SENIOR SEWAGE TREATMENT PLANT OPEARTOR.

(See Sewer District Minutes)

#211 APPROVES PROMOTION TO ADMINISTRATIVE ASSISTANT.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, this Town Board has received a request and recommendation of the Department Heads to elevate Jane Stromski from the title of Senior Clerk Typist to Administrative Assistant, and

WHEREAS, this Town Board has requested a certified list of eligibles from the Suffolk County Department of Civil Service, and

WHEREAS, the Suffolk County Department of Civil Service has approved such change,

NOW, THEREFORE, BE IT

RESOLVED, that Jane Stromski be appointed to the title of provisional Administrative Assistant, Group 2, Step 10 of the 1987 CSEA Administrative Salary Schedule at the annual compensation of \$21,584.98 effective April 6, 1987, and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward certified copies of this resolution to Jane Stromski and the Office of Accounting.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#212 APPROVES RESIGNATION OF DAVID ANDRUSKIEWICZ.

Councilman Pike offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, David Andruskiewicz did submit his letter of resignation from employment with the Town of Riverhead Highway Department to the Town Board effective April 17, 1987.

NOW, THEREFORE, BE IT

RESOLVED, that the resignation of David Andruskiewicz be and is hereby approved effective April 17, 1987, and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward certified copies of this resolution to David Andruskiewicz and the Office of Accounting.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.



RESOLUTIONS Continued#213 APPOINTS DEPUTY TOWN CLERK.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, Town Clerk, Irene J. Pendzick has advised this Town Board that she has appointed Barbara Grattan as Deputy Town Clerk, NOW, THEREFORE, BE IT

RESOLVED, that the appointment of Barbara Grattan to the position of Deputy Town Clerk is hereby approved effective March 16, 1987 until December 31, 1987, at the annual rate of compensation of \$1,750.00.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#214 AUTHORIZES TOWN ATTORNEY AND SMITH, FINKELSTEIN, LUNDBERG, ISLER & YAKABOSKI TO APPEAL DECISION RE: WEST LANE PROPERTIES.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

RESOLVED, that the Town Attorney and Smith, Finkelstein, Lundberg, Isler & Yakaboski, Esqs., be and are hereby authorized to appeal the decision in the matter of West Lane Properties for a final Judgment reversing and setting aside an order of the Town Board, Town of Riverhead.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#215 AUTHORIZES SUPERVISOR TO ACCEPT DEED TO TANK SITE.

(See Water District Minutes)

#216 AWARDS BID FOR CONSTRUCTION OF WATER STANDPIPES.

(See Water District Minutes)

#217 AWARDS BID FOR HAUL ROAD TO WATER STORAGE STANDPIPE.

(See Water District Minutes)

#218 APPROVES SITE PLAN OF CHARLES DASSARO.

Councilman Pike offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, a site plan and elevations were submitted by Charles Dassaro for construction of a four-building shopping center to be located at Route 25, Calverton, New York; and

RESOLUTIONS Continued

WHEREAS, this Town Board has reviewed the site plan dated February 17, 1987, as prepared by Martin F. Sendlewski, and elevations dated February 17, 1987, as prepared by Martin F. Sendlewski; and

WHEREAS, certain changes to the original site plan have been made and that Martin F. Sendlewski has approved of said changes and will forward to the Town Board his revised site plan.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Charles Dassaro for construction of a four-building shopping center to be located at Route 25, Calverton, New York, site plan dated February 17, 1987, as prepared by Martin F. Sendlewski, and elevations dated February 17, 1987, as prepared by Martin F. Sendlewski, be and are hereby approved, subject to the following:

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution or other official action of the Town, shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a certified copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk and filed with the Town Clerk;

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design;

4. That the applicant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same;

5. That receptacles of a decorative design shall be maintained at the premises;

6. That adequate parking for the handicapped pursuant to State and Federal law shall be provided that and each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document, Charles Dassaro hereby authorizes the Town of Riverhead to enter premises at Route 25, Calverton, New York, to enforce said handicapped parking regulations;

7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code with regard to type, thickness and grade;

8. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

9. Drainage and parking shall be provided pursuant to the Riverhead Town Code; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Charles Dassaro and the Riverhead Building Department.

RESOLUTIONS Continued

DECLARATION AND COVENANT

THIS DECLARATION, made the \_\_\_\_\_ day of April, 1987, by CHARLES DASSARO residing at Route 25, Calverton, New York, Declarant.

WHEREAS, Declarant is the owner of a certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto as provided by the Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead and the owner and prospective owners of said parcel that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan, said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution or other official action of the Town, shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design;

3. That the Declarant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same;

4. Trash receptacles of a decorative design shall be maintained at the premises;

5. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a station stating, "No Parking, Handicap Only", and the universal symbol affixed thereto;

6. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code, with regard to type, thickness and grade;

7. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

8. Drainage and parking shall be provided pursuant to the Riverhead Town Code.

RESOLUTIONS Continued

Declarant has hereunto set his hand and seal the day and year above first written.

CHARLES DASSARO

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

On this \_\_\_\_\_ day of April, 1987, before me personally came CHARLES DASSARO, the owner of certain real property located at Route 25, Calverton, New York, the subject property of the declaration and covenant and understands the contents thereof; and that he did swear to me that he executed the same.

NOTARY PUBLIC

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#219 REFERS SITE PLAN REVIEW (ARTICLE XXVI) TO PLANNING BOARD.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, it is the intent of this Town Board to standardize requirements for site plan application and review, so as to ensure the public safety and convenience, the compatibility of land uses, and compliance with the Town Code of the Town of Riverhead, and

WHEREAS, the Planning Department has produced Article XXVI, Site Plan Review as a means of achieving those goals;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead does hereby refer Article XXVI, Site Plan Review, as produced to the Riverhead Town Planning Board for its review and recommendations.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#220 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING: RE: CHANGE OF LOT AREA IN RESIDENCE RDC DISTRICT.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Public Notice with regard to a change in the Residence RDC Zoning District.

RESOLUTIONS ContinuedPUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 21st day of April, 1987, at 8:05 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the reduction in the lot area within the Residence RDC District from 20 acres to 10 acres, and that the Zoning District Use Schedule for the Residence RDC District shall read as follows:

	Minimum Lot Area
	(square feet)
RDC	<del>20-acres</del>
Dist.	10 acres

\*broken lines represent deletions  
 \*underscore represents additions

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.  
 The resolution was thereupon duly declared adopted.

#### #221 REFERS ZONING CODE AMENDMENT TO PLANNING BOARD.

Councilman Pike offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, situations do exist in the Business B and Business D Zoning Use Districts in the Town of Riverhead whereby parking and loading areas for retail and warehouse spaces coexist on a site, and

WHEREAS, such situations can create a dangerous combination of pedestrian traffic, passenger vehicles, and delivery vehicles and tractor-trailers, and

WHEREAS, the Planning Department has proposed the amendment to Section 108-61 of the Town Code of the Town of Riverhead, which will reduce those instances in which parking and loading for retail and warehouse spaces occur simultaneously on a site;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead, in its effort and desire to ensure the safety and welfare of the people of the Township, does hereby refer the amendment to Section 108-61 of the Town Code of the Town of Riverhead to the Riverhead Town Planning Board for its review and recommendations.

The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#### #222 AUTHORIZES TOWN EXPENDITURES.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that the Supervisor be and hereby is authorized to pay the following:

RESOLUTIONS ContinuedGeneral Town

Abstract # 1 and 1A Vouchers 1-295	totalling \$1,121,221.72
Abstract # 2 Vouchers 296-447	totalling 261,901.05

Highway

Abstract #1 Vouchers 1-29	totalling \$ 212,496.47
Abstract #2 Vouchers 30-74	totalling 87,391.12

Capital Projects

Abstract #1 Vouchers 1-3	totalling \$ 24,251.21
Abstract #2 Vouchers 4-10	totalling 14,707.22

Street Lighting

Abstract #1 Vouchers 1-32	totalling \$ 38,538.79
Abstract #2 Vouchers 33-45	totalling 3,677.84

Public Parking

Abstract #1 Vouchers 1-32	totalling \$ 24,882.32
Abstract #2 Vouchers 33-45	totalling 4,312.68

Small Cities

Abstract #1 Vouchers 1-12	totalling \$ 28,639.89
Abstract #2 Vouchers 33-45	totalling 7,584.39

Ambulance

Abstract #1 Vouchers 1-12	totalling \$ 1,648.00
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The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Vic is rushing off to get a resolution which we forgot. So in the meantime, I will entertain you with the explanation that the old procedure of paying the bills was a very cumbersome process involving the signing of a voucher by the person who delivers the goods or services and then the signing of the voucher by the department who received the goods or services and then a signature by the Supervisor and then it went to the Councilmen to be looked at and audited and then it went back downstairs. And what we had was a problem in which people who provided goods and services to the Town of Riverhead, would wait months before they received payment. As a matter of fact, some people cut off our credit because of the long drawn out cumbersome process. It worked fine in the old days when it wasn't much going on. But now, there are stacks of purchases

RESOLUTIONS Continued

Supervisor Janoski, Continued  
made and Vic you're on."

Councilman Prusinowski, "This will be resolution #223. I make a motion that we appoint Carol Ellis to the position of Clerk Typist on the 1987 Clerical Supervisory Salary Schedule in Group 4, Step 3, at the annual compensation of \$15,008.49, effective yesterday. So moved."

#223 APPOINTS CAROL ELLIS TO THE POSITION OF CLERK TYPIST.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that Carol Ellis be appointed to the position of Clerk Typist in Justice Court in Group 4, Step 3, at the annual rate of compensation of \$15,008.49 as set forth in the 1987 CSEA Salary Administration Schedule for Clerical and Supervisory to become effective April 6, 1987.


The vote, Boschetti, absent, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "We've paid the bills. We've done everything we're supposed to do and some things that we weren't supposed to do. Without objection, this meeting is adjourned."

There being no further business on motion or vote, the meeting adjourned at 9:20 p.m.

IJP:nm

  
Irene J. Pendzick  
Town Clerk